**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

SAJCHA D. HOBBS,	)	
	)	
Petitioner,	)	
	)	
v.	)	**Case No. CIV-15-91-D**
	)	
FOX, Warden,	)	
	)	
Respondent.	)	

REPORT AND RECOMMENDATION

Petitioner Sajcha D. Hobbs, a state prisoner appearing pro se, has applied for leave to proceed *in forma pauperis* (Doc. Nos. 2, 7) in this 28 U.S.C. § 2241 habeas corpus proceeding. This matter has been referred to the undersigned Magistrate Judge for initial proceedings consistent with 28 U.S.C. § 636(b). Having reviewed said application, the undersigned finds that Petitioner has a current balance of $125.81 in his institutional account, which is sufficient to prepay the $5.00 filing fee in this action.

Because Petitioner has not demonstrated an inability to prepay the filing fee, the undersigned recommends that the District Judge:

(1)   deny the application for leave to proceed *in forma pauperis*;

(2)   order Petitioner to pay the full $5.00 filing fee within 21 days or such other time as may be deemed appropriate, *see* R. 1(b), 3(a), Rules Governing Section 2254 Cases in the United States District Courts; LCvR 3.2, 3.3(e), 3.5; and

(3)   dismiss the action without prejudice to refiling if Petitioner fails to timely pay the filing fee to the Clerk of this Court, or to show good cause for the failure to do so, s*ee* LCvR 3.3(e).

<p style="text-align:center">NOTICE OF RIGHT TO OBJECT</p>

Petitioner is advised of his right to file an objection to this Report and Recommendation with the Clerk of this Court by April 9, 2015, in accordance with 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72. Petitioner further is advised that failure to timely object to this Report and Recommendation waives the right to appellate review of both factual and legal issues contained herein. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

This Report and Recommendation disposes of all issues referred to the undersigned Magistrate Judge in the present case.

ENTERED this 19th day of March, 2015.

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CHARLES B. GOODWIN
UNITED STATES MAGISTRATE JUDGE